MISCELLANY.

An Age Limit for Judges.—Not a few notable judges have continued to render most valuable service on the Bench when they have been octogenarians. Baron Wood delivered a judgment in 1822, when he was eighty-two which caused the Lord Chief Baron, according to "Price's Exchequer Reports," to publicly congratulate him upon the "unimpaired vigour and unabated learning which he had evinced that day in the discharge of his high duties." To take a more modern instance, Lord Macnaghten remained the greatest force on the Judicial Committee when his years numbered more than eighty. But the Commissioners recognize that the question of the compulsory retirement of judges is not to be determined in the light of exceptions, however brilliant they may be, and they recommend that all King's Bench judges appointed in the future should retire on attaining the age of seventy-two, unless a committee, consisting of the Lord Chancellor, the Lord Chief Justice, and an ex-Lord Chancellor—why not the Master of the Rolls?—shall request them to continue to serve for a further period to be specified. Veteran judges have sometimes been known to lag superfluous on the Bench, and the Commissioners' proposal will, we believe, be generally recognized as a fitting solution of a rather delicate problem. It is accompanied by some fair, if unexpected, proposals as to judicial pensions. Judges who retire after fifteen years' service are to continue to be entitled to a pension of 3,500*l.* a year, but for judges who retire with a shorter record of service a sliding scale is to be introduced. For instance, a judge who resigns after five years' service, or less, is to receive only 1,500*l.* a year, but for every additional year he serves he will be entitled to a further 200*l.* If he serves for ten years—and a judge is to be entitled to retire at the end of this period whether or not he is incapacitated—he will be entitled to a pension of 2,500*l.* A cognate proposal made by the Commissioners has frequently been advocated in these columns. They propose that all retired judges should be eligible, on the request of the Lord Chancellor, to serve as supernumerary judges in town or on circuit, the service being optional in the case of judges who have served for fifteen years, but obligatory in the case of judges who, not having retired because of old age or ill-health, have served for a less period. A reserve of judicial force will thus be created which can easily be utilized whenever the Courts, owing to the illness of members of the Bench or the abnormal duration of important trials, are threatened with the recurrence of arrears.—London Law Journal.

Jury of Matrons.—By a strange coincidence, the day after the Court of Appeal decided that women were not qualified for admis-

sion to the legal profession, a number of ladies at the Old Bailey were empanelled to discharge the only duty which the members of their sex are permitted to perform in the administration of justice. There are reformers who even question the utility of this ancient right. "Notwithstanding my enthusiastic reverence for trial by jury in criminal cases," Sir Harry Poland has written, "I should not regret to see the abolition of the Jury of Matrons." A jury of matrons, like other juries, is (says the *Globe*) liable to err. The ladies who had to consider the plea of Mary Ann Hunt, who was convicted of murder at the Old Bailey in 1849, arrived at the conclusion that it was ill-founded, but the surgeon of Newgate Prison, disagreeing with their verdict, addressed a communication to the Home Secretary, who, wisely realising that a few months would conclusively decide the question, ordered the sentence to be respited. Not long afterwards, the prison population received an addition which proved the matrons to be wrong.—London Law Journal.

Contempt Proceedings.—Remarkable proceedings have occurred in the court of Superior Judge John E. Humphries of Seattle, leading to a severe arraignment of him by the president of the Illinois Lawyer's Association on Oct. 4, and the adoption by that body of a denunciatory resolution. Judge Humphries sent thirty-one men and six women to jail for contempt in signing a protest against his injunction forbidding street speaking at certain places by Socialist orators. On the eve of the arrival of Governor Lister, who was on his way to Seattle with a view to securing the release of the prisoners, Judge Humphries hastened to release them and afterward he asserted, after a conference with the Governor and the other Superior Court judges, that he would not resign—"they couldn't pull me off the bench with a hook." Glenn Hoover, attorney for the Free Speech Defense League and former assistant Attorney-General of the State was among those imprisoned, and he had also been fined and "forever disbarred" by Judge Humphries. Thorwald Siegfried, counsel for Hoover and others, who had previously asked the prosecutor of the Seattle Bar Association to investigate Humphries' conduct, was cited on this ground to appear before Judge Humphries and answer to the charge of contempt. Siegfried asked for a change of venue on the ground of prejudice, which was refused. On Sept. 30 Acting Chief Justice Parker of the state Supreme Court enjoined Judge Humphries from sitting as judge in contempt proceedings against Siegfried. Judge Smith of the Superior Court, who proceeded to grant Siegfried's application for the release of Hoover on habeas corpus was publicly denounced by Judge Humphries.—The Green Bag.

THE LORD CHIEF JUSTICE, who attended the annual dinner of the Birmingham Law Students' Society (of which he is president) on December 5, delivered an address on the art of cross-examination. He said there was a time when he spent part of his days in cross-examining witnesses. Those days had passed, and his present occupation consisted to a large extent of saying to himself, certainly nine times out of ten, when he was tempted to interrupt, "Keep quiet." They must remember that the witness who went into the box to tell a plain and unvarnished story without the desire or intention of screening anything from the light of day would defy the greatest cross-examiner that ever lived. The reason why witnesses so often involved themselves in difficulties was that it very frequently happened that a witness who was perfectly honest, who had not the remotest intention of telling an untruth, went into the witness box with the firm desire to assist the side that had called him in, to be perfectly loyal, and not to give away anything that might injure that side. And people did that with the utmost probity and honesty of character, but they failed to realise that in that way they might be helping to delude the Court.—London Law Journal.

Injunction against Roving Chickens.—The Supreme Court of Iowa, admitting that by the common law an owner could be compelled by injunction not to allow his domestic animals to trespass on the lands of another, holds that this rule was never applicable to conditions in that state. In statutory changes of the Iowa rule, it is stated that chickens and the like still may run where they list and also lay. Possibly the last supplies the reason for lack of legislation and the egg away from home may be deemed of an animal *ferœ naturæ* and therefore the property of the owner of the soil. Vide Kemple *v.* Schafer, 143 N. W. 505, for a very learned and voluminous discussion on the rural rights of domestic fowls, the roosting place being their domicile.—Central Law Journal.